

Article - Real Property

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§12-210.

(a) In order to promote uniform and effective administration of relocation assistance and real property acquisition, the displacing agencies, where applicable, shall consult one another and the lead agency on the establishment of rules and regulations and procedures for the implementation of these programs.

(b) Notwithstanding the provisions and limitations of this subtitle:

(1) Except as otherwise determined by the lead agency, any person receiving federal financial assistance may elect not to comply with §§ 12-207, 12-208, and 12-209 of this subtitle;

(2) When not receiving State or federal financial assistance, a displacing agency may elect not to comply with §§ 12-207, 12-208, and 12-209 of this subtitle; or

(3) When not receiving State or federal financial assistance, a displacing agency having the authority to acquire property by eminent domain or to displace persons permanently under State law may elect not to comply with §§ 12-202, 12-203, 12-204, 12-205, and 12-206 of this subtitle.

(c) Each displacing agency may establish rules and regulations and procedures as it determines to be necessary to assure:

(1) That the payments and assistance authorized by this subtitle are administered in a manner which is fair and reasonable, and as uniformly as feasible;

(2) That a displaced person who makes proper application for a payment, authorized for the person by this subtitle, is paid promptly after a move or, in hardship cases, is paid in advance; and

(3) That any person aggrieved by a determination as to eligibility for a payment, authorized by this subtitle, or the amount of a payment, may have his application reviewed by the displacing agency having authority over the applicable program or project.

(d) Each displacing agency, where applicable, may adopt rules, regulations, and procedures, consistent with the provisions of this subtitle and the federal “Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970”,

Public Law 91-646, the amendments of 1987 Public Law 100-17, and rules and regulations issued in accordance with it, as it deems necessary or appropriate to carry out the provisions of this subtitle and the federal act.

(e) All rules and regulations adopted in accordance with this subtitle, except those adopted in accordance with § 12-205 of this subtitle, shall comply with the State Administrative Procedure Act. This subsection does not apply to rules and regulations adopted by Baltimore City, or any of its agencies or departments.

(f) (1) Notwithstanding any provision of this title, Baltimore City, or any of its agencies or departments responsible either in whole or in part for the administration of any public project, funded either in whole or in part by federal funds, including urban renewal programs and area code enforcement programs, may do any act necessary, including adoption of rules and regulations, to comply with the terms, conditions, and provisions of any federal law and rule and regulation authorizing benefits, payments, and compensation for displacees from these public projects and for persons owning any right, title to, or interest in real property acquired for these public projects in order to obtain the full benefit under them for the city and for persons and displacees from these projects in Baltimore City.

(2) This subsection applies to existing acts of Congress authorizing benefits, payments and compensation for or to persons and displacees from public improvement projects receiving federal funds, subsequent acts of Congress of like character, and any existing or subsequently adopted rules and regulations issued in connection with them.

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